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EXAMINER

ABDI, KAMBIZ

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 02/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/593,406

Applicant(s)

ROSENAU ET AL.

Examiner

Kambiz Abdi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 November 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The prior office action mailed on 28 August 2002 is incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented claims and arguments.

Specification has been amended based on the informalities pointed out by the examiner.

Claim 1 has been amended.

No new claims have been added.

Claims 1-14 are pending.

### ***Drawings***

1. The corrected or substitute drawings were received on 29 November 2002. These drawings are acceptable and have been entered into the application.

### ***Response to Arguments***

2. Applicant's arguments filed 29 November 2002 have been fully considered but they are not persuasive, examiner maintains the rejections based on office action filed on 28 August 2002.

3. As for reconsideration of objections to the claim 1, examiner withdraws the objection. Additionally examiner withdraws the objection to the informalities found in the specification. Examiner rephrase the consideration of information discloser statement submitted by the applicant for further clarity, that examiner only considered references presented in the English language, therefore the two references that were in none English language were not considered and were put in the file wrapper.

4. In response to the argument put forward by the applicant that it is clear that what applicant is considering as the inventive steps of the application, are the separation of tasks between two data processing units. Namely a security module and a print module as they have been described in the specification. The pre-calculation task of the first processor is clearly a set of pre-calculation to calculate a

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constant number that does not change as the mail pieces are run through the system, the only variable would be the count that would change according to the mail piece that is run through and is processed and an indicia is franked on the mail piece. The separation of these tasks based on the applicants argument and as it is stated in the specification, results in the speeding of the process of franking of an indicia on a mail piece.

5. Based on the applicants admittance in the amendment filed on 29 November 2002, page 5, lines 6-15, describes the invention as "division of tasks between two data processing units, namely a security module for processing security tasks, and a microprocessor for processing printing tasks. As explained in that paragraph, this division of tasking (processing) results in a processing time duration per franking with a security imprint that is shorter than the processing time duration per franking which was achievable by conventional methods and systems, which did not employ such a processing division."

6. The fact that division of tasks does speed up a process is well known in the art. It is inherent that if a task is divided among number of processors it will take less time to achieve a certain results, as it is clear with parallel processing in certain computer system to achieve an overall faster processing time. In addition in the prior art presented in the office action dated 28 August 2002 Eckert clearly teaches that if constant numbers are the date, serial, and amount and the variable number would be count, therefore amount of calculation would be once for the constant numbers and then storing the same in a RAM and utilizing the same for generating the security code by adding the seed word and count to the calculated constant. As it is apparent, in the exemplary U.S patent no. 4,516,209 to Albert W. Scribner, the pre-loading of the constant numbers such as a weight range, as the fee is constant and consequently the data generation for the indicia would be the first calculating a constant data based on the data entry for the run that does not change during the run, which would be something like the date, fee amount, weight range, serial number, a seed number and so on. Once the constant has been calculated it is stored in a RAM and then utilized by the printing apparatus or another calculation to create and calculate a unique indicia for that particular mail piece for printing on the same. By the virtue of pre-calculating the constant

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segment of the indicia a head of the final printing certain time has been saved over and over for the entire run. This process is well known within the art. Making these steps to be calculated in a separate processing unit is not patentable as the Court has stated it is not invention to merely make various parts separable without unexpected results if access to something is desirable, *In re Dulberg*, 129 U.S.P.Q. 348, 349 (CCPA, 1965).

7. Therefore it would be obvious to one of ordinary skill in the art to separate the processing task of the calculation of indicia to be franked on a mail piece to steps of pre-calculation of the constant number and utilizing the same in the next separate step of calculation of the indicia based on the variable numbers such as count, or any other variable. Examiner's argument of the obviousness of design choice was stated that the applicant has not disclosed any un-expected or un-obvious results emanating from separation of certain steps of calculations, which depicts a step of pre-calculation of static information and step of calculating the print image. As the applicant admits to the importance of pre-calculation of the security tasks in particular for mass franking of postal items, particularly letters, having the same postage value.

8. As per applicant's point of view of the piecemeal prior art in the office action, examiner presented the prior art to the applicant to indicate that what is claimed is well known in the art and it is not considered part of the applicant's invention. What the applicant is claiming as the invention is the separation of certain process steps into multiple steps to speed up the overall franking of postal mail process.

9. U.S. Patent no. 4,858,138 to Paul C. Talmadge, U.S. Patent no. 4,422,148 to John H. Soderberg et al., and U.S. patent no. 4,516,209 to Albert W. Scribner are examples of prior arts in supporting of the separation of processing within a franking machine and pre-calculation of static information for creating an indicia for franking by a postal meter system.

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10. Examiner also submits that the citation of the references above has been added as evidence to substantiate the prior statement in the office action, does not result in a new issue, and therefore this action will be made Final.

11. As far as the claims 1-14 are concern the rejections are standing based on the prior arts presented on the office action dated 28 August 2002. The examiner believes that arguments presented by the applicant has been presented in light of interpreting the claims in their narrowest form in contrast of the interpretation of the examiner of the claims in their broadest reasonable meaning under rules and regulations, see MPEP § 2111 and § 2111.01.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,680,463 to Harald Windel and U.S. Patent No. 4,934,846 to Dennis T. Gilham in view of U.S. Patent No. 6,418,422 to Stephen Guenther.

As for claim 1 and 9, while both Windel and Gilham disclose; a franking system and method comprising;

a security module containing a first program memory in which a first program is stored and a security module data processing unit connected to said first program memory and being programmed by said first program to calculate a multi-byte security code from existing system data and to be able to

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receive new system data to modify said existing system data (See Gilham col. 1, ln. 47-68, col. 2, ln. 1-60, and Windel figure 1 and 10 and 10, col. 9, ln. 4-46);

said security module data processing unit being further programmed by said first program to, immediately upon receipt of said new system data, validate said new system data and determine whether said new system data are required for said security code and, if so, to immediately begin recalculating said security code in a first routine and, in a second routine, to finish recalculating said security code for at least one security imprint, thereby producing a recalculated security code, and to initiate an accounting operation for said monetary value and to communicate the recalculated security code to said separate data processing unit (See Gilham col. 1, ln. 47-68, col. 2, ln. 1-60, col. 4, ln. 1-33, and Windel figure 1 and 10, col. 9, ln. 4-46);

What Windel and Gilham do not explicitly discuss is the separate data processing unit for processing the franking imprint at the printing module. Both Windel and Gilham disclose the claimed invention, as discussed above, except for the step of second data processing at the print control module. It would have been obvious matter of design choice to modify the teachings of Windel and Gilham, to provide the step of a separate data processing unit disposed externally of said security module and having a second program memory in which a second program is stored, said separate data processing unit being programmed by said second program to edit print data to compile a print image that contains said security code as a security imprint and that embodies a monetary value for franking a mail item, since applicant has not disclosed that additional data processing solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Windel and Gilham will perform the invention as claimed by the applicant with any method, means, or product to print the franking a mail item. In addition, Guenther clearly discloses a secondary data processing external of the security module (Such as an smart card) carrying a value for franking a postal meter imprint (See Guenther figure 1a, 2, 4, and 5a). Therefore, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to combine the above teachings

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to achieve a better authorization procedure and more reliable validation system for the postal franking systems.

As for claim 10, Windel, Gilham, and Guenther disclose, all the limitations of claim 9, further;

Windel, Gilham, and Guenther disclose the claimed invention, as discussed above, except for the step of, calculating a data authorization code in said security module data processing unit as said security code dependent on said ascending register value and additional data in said new system data and generating said security imprint at a time following an end of entry of said new system data and before conducting an accounting for said monetary value. Therefore, It would have been an obvious matter of design choice to modify the teachings of Windel, Gilham, and Guenther, to provide the step of, using an ascending register in order to calculate an authorization code, since applicant has not disclosed that using ascending register solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Windel, Gilham, and Guenther will perform the invention as claimed by the applicant with any method, means, or product to use the ascending register as a variable for generating security code.

As for claim 11, Windel, Gilham, and Guenther disclose, all the limitations of claim 9, further;

Windel, Gilham, and Guenther disclose the claimed invention, as discussed above, except for the step of, using a plurality of mail items all having the same monetary value for franking or different authorization code based on plurality of variable numbers such as ascending or descending registers or change in the time or date or the article number. wherein said new system data are associated with an inserted mail item and wherein said security code is a data authorization code and wherein said security module data processing unit calculates said data authorization code dependent on said ascending register value and additional data in said new system data at a time from said insertion of said mail item and before conducting an accounting for said monetary value. However, Gilham clearly discloses the steps mentioned above for generating an authorization code for postal franking. (See



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Gilham col. 4, ln. 1-34). Therefore, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to combine the above teachings to achieve a more reliable and efficient processing system and method for tracking and securing the postal franking systems. In addition, it would speed up the printing process by pre-processing some calculations based on none variable data needed to calculate the authorization code for printing by the postal franking system.

3. Claims 2-5 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,680,463 to Harald Windel, U.S. Patent No. 4,934,846 to Dennis T. Gilham and U.S. Patent No. 6,418,422 to Stephen Guenther, as applied to claim 1 above and further in view U.S. Patent No. 4,649,266 to Alton B. Eckert.

As for claim 2, Windel, Gilham, and Guenther disclose, all the limitations of claim 1, further;

What Windel does not explicitly teach is that a security code is a data authorization code and wherein said security module data processing unit contains an internal non-volatile memory in which at least one key for calculating said data authorization code is protectively stored against access and wherein said security module contains a further security module data processing unit for performing said accounting. However, both Gilham and Eckert clearly teaches the method of creating a security code to be imprinted on the mail item and keeping an accounting of the available fund to the franking system by means of a data processing module. (See Gilham col. 3, ln. 57-68 and col. 4, ln. 1-33 and Eckert figures 1 and 2, and col.1, ln. 66-68 and col. 2, ln. 1-36). Therefore, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to combine the above teachings to achieve a more reliable and efficient processing system and method for tracking and securing the postal franking systems.

As for claim 3, Windel, Gilham, Guenther, and Eckert disclose, all the limitations of claim 2, further;

wherein said security module data processing unit is a processor programmed by said first program to calculate a first eight bytes of said data authorization code in advance in said first routine

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each day, and wherein said further security module data processing unit is a hardware accounting unit which produces an accounting result as a result of said accounting in said second routine, and wherein said security module further contains a non-volatile memory, accessible by said hardware accounting unit, in which said hardware accounting unit stores said accounting result (See Gilham col. 4, ln. 1-34). However, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to combine both teachings to expedite and create a more secure and better authorization code to be printed by a franking system.

As for claim 4, Windel, Gilham, Guenther, and Eckert disclose, all the limitations of claim 3, further;

Windel and Gilham disclose the claimed invention, as discussed above, except for the step of, a processor is programmed by said first program to determine an ascending register value, dependent on said monetary value, for at least one mail item, and to finish calculating said data authorization code in said second routine for said at least one mail item using said ascending register value. Therefore, It would have been an obvious matter of design choice to modify the teachings of Windel and Gilham, to provide the step of, using an ascending register since applicant has not disclosed that using ascending register solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Windel and Gilham will perform the invention as claimed by the applicant with any method, means, or product to use the ascending register as a variable for generating security code.

As for claim 5, Windel, Gilham, Guenther, and Eckert disclose, all the limitations of claim 3, further;

Windel and Gilham disclose the claimed invention, as discussed above, but Gilham clearly discloses the step of, using a plurality of mail items all having the same monetary value for franking or different authorization code based on plurality of variable numbers such as ascending or descending registers or change in the time or date or the article number. Wherein said processor is programmed by said first program to pre-calculate a next-successive data authorization code for a next mail item after

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debiting said monetary value for a preceding mail item (See Gilham col. 4, ln. 1-34). However, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to combine both teachings to speed up overall processing of information such as calculation of an authorization code to be printed by a franking system.

As for claim 12, Windel, Gilham, and Guenther disclose, all the limitations of claim 9, further;

Windel, Gilham, and Guenther teach how an authorization code can be calculated and there is certain pre-calculations that do take place in their system. But, what they are not explicit is said security code is a data authorization code and wherein said security module data processing unit calculates said data authorization code dependent on a machine identifier, said monetary value and a current date, and wherein at least said machine identifier is included in a pre-calculation of n bytes of said data authorization code. However, Eckert clearly discloses the steps and process to obtain an authorization code based on the elements that have been mentioned above and certain pre-calculations that have been mentioned (See Eckert figures 1,2, and 3). Therefore, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to combine the above teachings to achieve further strength in the cryptography of the validation code to be printed by the postal franking systems in addition to speed up overall processing of information such as calculation of an authorization code to be printed by a franking system. Preprocessing of certain calculations for speeding up further processing in a system is well known in the art.

As for claim 13, Windel, Gilham, and Guenther disclose, all the limitations of claim 9, further;

Windel, Gilham, and Guenther teach how an authorization code can be calculated and there is certain pre-calculations that do take place in their system. But, what they are not explicit is said security code is a data authorization code and wherein said security module data processing unit calculates said data authorization code dependent on a machine identifier, said monetary value and a current date, and wherein at least said machine identifier and said date is included in a pre-calculation of n bytes of said data authorization code. However, Eckert clearly teaches a security module capable of creating an

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authorization code for postal franking that does pre-calculations of data before the next variable has arrived (See Eckert figures 1,2, and 3, and col. 2, ln. 1-68). Therefore, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to combine the above teachings to achieve further strength in the cryptography of the validation code to be printed by the postal franking systems in addition to speed up overall processing of information such as calculation of an authorization code to be printed by a franking system. Preprocessing of certain calculations for speeding up further processing in a system is well known in the art.

As for claim 14, Windel, Gilham, and Guenther disclose, all the limitations of claim 9, further;

Windel, Gilham, and Guenther teach how and authorization code can be calculated and there is certain pre-calculations that do take place in their system. But, what they are not explicit is comprising successively supplying sets of new system data to said security module data processing unit and after communicating said security code to said separate data processing unit, in said security module data processing unit beginning calculation of a next-successive security code for next new system data, at least dependent on said ascending register value to produce pre-calculated n bytes of said next-successive security code. However, Eckert clearly teaches a security module capable of creating an authorization code for postal franking that does pre-calculations of data before the next variable has arrived (See Eckert figures 1,2, and 3, and col. 2, ln. 1-68). Therefore, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to combine the above teachings to achieve further strength in the cryptography of the validation code in addition to speed up overall processing of information, such as calculation of an authorization code to be printed by a franking system. Preprocessing of certain calculations for speeding up further processing in a system is well known in the art.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,680,463 to Harald Windel, U.S. Patent No. 4,934,846 to Dennis T. Gilham, U.S. Patent No. 6,418,422 to Stephen

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Guenther, and U.S. Patent No. 4,649,266 to Alton B. Eckert, as applied to claim 3 above and further in view U.S. Patent No. 5,671,146 to Harald Windel.

As for claim 6, Windel, Gilham, Guenther, and Eckert disclose, all the limitations of claim 3, further;

Windel, Gilham, Guenther, and Eckert disclose the claimed invention, as discussed above, except for the step of, internal non-volatile memory, which is an SRAM of said processor, and wherein said security module further comprises a battery supporting said SRAM, and wherein said SRAM had memory areas for protected storage of at least some data produced by said pre-calculation, and wherein said at least one key for calculating said data authorization code is protectively stored in a memory area of said SRAM.

Computer systems typically use magnetic disk drives for mass storage of data. However, disk drives are disadvantageous in that they are bulky and in their requirement for high precision moving mechanical parts. Consequently they are not rugged and are prone to reliability problems, as well as consuming significant amounts of power. Solid state memory devices such as DRAM's and SRAM's do not suffer from these disadvantages. However, they are much more expensive, and require constant power to maintain their memory (volatile). Consequently, they are typically used as temporary storage.

Cache memory is generally used to speed up the performance of systems having slower access devices. For example in a computer system, access of data from disk storage is slow and the speed would be greatly improved if the data could be obtained from the much faster RAM. Typically a part of system RAM is used as a cache for temporarily holding the most recently accessed data from disk. The next time the data is needed, it may be obtained from the fast cache instead of the slow disk. The scheme works well in situations where the same data is repeatedly operated on. This is the case in most structures and programs since the computer tends to work within a small area of memory at a time in running a program. Another example of caching is the using of faster SRAM cache to speed up access of data normally stored in cheaper but slower DRAM or any other none volatile memory devices. In addition is has been used in the art for security reasons and tamper proofing remote systems that need to be securely placed and prevented from being accessed by unauthorized persons (See Windel (5,671,146)

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figures 1b, 1c, and 2A and col. 11, ln. 9-52). Therefore, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to combine the above teachings to achieve a faster, more reliable and more efficient processing system for the postal franking systems to access data stored in the memory and at the same time more secure housing for the franking device to be tampered with.

5. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,680,463 to Harald Windel, U.S. Patent No. 4,934,846 to Dennis T. Gilham, U.S. Patent No. 6,418,422 to Stephen Guenther, U.S. Patent No. 4,649,266 to Alton B. Eckert, and U.S. Patent No. 5,671,146 to Harald Windel as applied to claim 6 above and further in view U.S. Patent No. 6,058,193 to Robert A. Cordery.

As for claim 7, Windel, Gilham, Guenther, and Eckert disclose, all the limitations of claim 6, further;

What Windel, Gilham, Guenther, and Eckert are not specific and explicit about is a processor is programmed by said first program to calculate said data authorization code using a machine identifier and OCR key indicator, a date, said monetary value, and a register value for an ascending register. However, Cordery clearly discloses using OCR recognizable characters and the usefulness of OCR Key indicators (or error correction code) (See Cordery figures 6 and 7 and col. 9, ln.43-47) for additional indicium's for generating a validation markings or authorization code. Therefore, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to combine the above teachings to achieve a more sophisticated and secure validation code for the postal franking systems to be printed on postage mail.

As for claim 8, Windel, Gilham, and Eckert disclose, all the limitations of claim 2, further;

What Windel, Gilham, Guenther, and Eckert are not specific and explicit about is a processor programmed by said first memory to calculate said data authorization code using an algorithm selected from the group consisting of DES algorithms and triplet DES algorithms. However, Cordery clearly

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teaches the application of "triple DES" algorithm (See Cordery figure 3, col. 8, ln. 14-20 and ln. 50-65).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the current invention was made to combine the above teachings to achieve further strength in the cryptography of the validation code to be printed by the postal franking systems to be printed on postage mail.

### ***Conclusion***

2. Examiner has pointed out particular references contained in the prior arts of record in the body of the previous office action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

3. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Abdi whose telephone number is (703) 305-3364. The examiner can normally be reached on 9:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (703) 305-9768.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks  
Washington D.C. 20231**

or faxed to:

(703) 305-7687 [Official communications; including After Final communications labeled "Box AF"]

(703) 746-7749 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to:

**Crystal Park 5, 2451 Crystal Drive  
7th floor receptionist, Arlington, VA, 22202**

**Abdi/K**

January 28, 2003

JOHN HAYES  
John V. Hayes  
Primary Examiner